

06-21-07

HPW-B

ATTORNEY DOCKET NO. 129843.1016

INFORMATION DISCLOSURE STATEMENT

CUSTOMER NO. 60148

SERIAL NO. 10/770,739

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Jan Jones
Signature of person mailing paper

In re Application of: Weiling Peng et al.

Serial No.: 10/770,739

Confirmation No. 1004

Filing Date: February 3, 2004

Group Art Unit: 1774

Examiner: Thompson, Camie S.

For: **Pre-Finished and Durable Building Material** 10770739

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants submit the art listed on the attached Forms PTO/SB/08A and PTO/SB/08B. Applicants submit this Information Disclosure Statement in compliance with 37 C.F.R. §1.97(c)(2) as Applicants are filing this Information

Disclosure Statement before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in §1.17(p).

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the art listed on the attached PTO/SB/08A and PTO/SB/08B forms be considered and cited in the examination of the above-identified application. Pursuant to 37 C.F.R. § 1.98, a copy of this referenced art is enclosed for the convenience of the Examiner, other than any U.S. patents and U.S. patent application publications. Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), no representation is made that this art is material to patentability of the present application or that a search has been made.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner, and shall not be construed as a representation that Applicants or Applicants' attorneys have personal knowledge of the contents of the listed art or any events surrounding the listed art.

The Examiner is requested to initial the attached PTO/SB/08A and PTO/SB/08B forms, as indicated. It is respectfully requested that the Examiner then return to the undersigned a copy of the initialed and completed PTO/SB/08A and PTO/SB/08B forms that indicates the enclosed referenced art has been considered in its entirety.

ATTORNEY DOCKET NO. 129843.1016
CUSTOMER NO. 60148

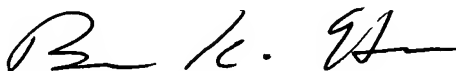
INFORMATION DISCLOSURE STATEMENT
SERIAL NO. 10/770,739

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The Commissioner is authorized to charge \$180.00, the fee set forth in 37 C.F.R. §1.17(p). No additional fees are believed to be due at this time. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 07-0153 and reference Attorney Docket No. 129843.1069. Please credit any overpayments to this same Deposit Account.

Please direct all correspondence to the practitioner listed
below at Customer No. 60148.

Respectfully submitted,



Brian K. Hrna
Registration No. 41,852

Gardere Wynne Sewell LLP
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1601 Elm Street, Suite 3000
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Telephone: 214.999.5728
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Email: bhrna@gardere.com

ATTORNEY FOR APPLICANTS

June 20th, 2007

Substitute for 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete If Known

Application Number	10/770,739
Filing Date	Feb. 3, 2004
First Named Inventor	Weiling Peng
Art Unit	1774
Examiner Name	Thompson, Camie S.
Attorney Docket Number	129843.1016

Sheet 1 of 9

U. S. PATENT DOCUMENTS

Examiner Initial	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US 815,801	3/20/1906	Depew et al.	
		US 1,976,984	10/16/1934	Condon et al.	
		US 2,317,634	4/27/1943	Olsen et al.	
		US 2,324,325	7/13/1943	Schuh	
		US 2,694,025	11/9/1954	Slayter et al.	
		US 3,782,985	1/1/1974	Gebhardt	
		US 3,804,058	4/16/1974	Messenger	
		US 3,847,633	11/12/1974	Race	
		US 3,902,911	9/2/1975	Messenger	
		US 3,921,346	11/25/1975	Sauer et al.	
		US 4,010,587	3/8/1977	Larsen	
		US 4,047,355	9/13/1977	Knorr	
		US 4,101,335	7/18/1978	Barrable	
		US 4,152,878	5/8/1979	Balinski	
		US 4,166,749	9/4/1979	Sterrett et al.	
		US 4,222,785	9/16/1980	Henderson	
		US 4,268,317	5/19/1981	Rayl	
		US 4,274,239	6/23/1981	Carroll	
		US 4,362,566	12/7/1982	Hinterwaldner	
		US 4,370,166	1/25/1983	Powers et al.	
		US 4,373,955	2/15/1983	Bouchard et al.	
		US 4,406,703	9/27/1983	Guthrie et al.	

Examiner Signature		Date Considered	
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EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional.). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> Sheet <u>2</u> of <u>9</u>	Complete If Known	
	Application Number	10/770,739
	Filing Date	Feb. 3, 2004
	First Named Inventor	Weiling Peng
	Art Unit	1774
	Examiner Name	Thompson, Camie S.
	Attorney Docket Number	129843.1016

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		Number-Kind Code ² (if known)			
		US 4,441,944	4/10/1984	Massey	
		US 4,462,835	7/31/1984	Car	
		US 4,501,830	2/26/1985	Miller et al.	
		US 4,506,486	3/26/1985	Culpepper, Jr et al.	
		US 4,673,659	6/16/1987	Wood et al.	
		US 4,780,141	10/25/1988	Double et al.	
		US 4,803,105	2/7/1989	Kretow et al.	
		US 4,985,119	1/15/1991	Vinson et al.	
		US 5,017,232	5/21/1991	Miceli	
		US 5,047,086	9/10/1991	Hayakawa et al.	
		US 5,080,022	1/14/1992	Carlson	
		US 5,106,557	4/21/1992	Rirsch et al.	
		US 5,108,679	4/28/1992	Rirsch et al.	
		US 5,112,405	5/12/1992	Sanchez	
		US 5,114,617	5/19/1992	Smetana et al.	
		US 5,115,621	5/26/1992	Kobayashi	
		US 5,143,780	9/1/1992	Balassa	
		US 5,210,989	5/18/1993	Jakel	
		US 5,229,437	7/20/1993	Knight	
		US 5,234,754	8/10/1993	Bache	
		US 5,245,811	9/21/1993	Knorr	
		US 5,247,773	9/28/1993	Weir	

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	Filing Date	Feb. 3, 2004
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	Art Unit	1774
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		Number-Kind Code ² (if known)			
		US 5,252,526	10/12/1993	Whittemore	
		US 5,259,872	11/9/1993	Shinozaki et al.	
		US 5,352,288	10/4/1994	Mallow	
		US 5,352,290	10/4/1994	Takeshita et al.	
		US 5,358,676	10/25/1994	Jennings et al.	
		US 5,391,245	2/21/1995	Turner	
		US 5,443,603	8/22/1995	Kirkendall	
		US 5,475,961	12/19/1995	Menchetti	
		US 5,482,550	1/9/1996	Strait	
		US 5,545,297	8/13/1996	Andersen et al.	
		US 5,580,378	12/3/1996	Shulman	
		US 5,603,758	2/18/1997	Schreifels, Jr. et al.	
		US 5,631,097	5/20/1997	Andersen et al.	
		US 5,648,144	7/15/1997	Maurer et al.	
		US 5,718,758	2/17/1998	Breslauer	
		US 5,725,652	3/10/1998	Shulman	
		US 5,749,187	5/12/1998	Umehara et al.	
		US 5,891,374	4/6/1999	Shah et al.	
		US 5,935,699	8/10/1999	Barber	

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Substitute for 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> Sheet <u>4</u> of <u>9</u>	Complete If Known	
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	Filing Date	Feb. 3, 2004
	First Named Inventor	Weiling Peng
	Art Unit	1774
	Examiner Name	Thompson, Camie S.
	Attorney Docket Number	129843.1016

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US 5,968,257	10/19/1999	Ahrens	
		US 6,277,189	8/21/2001	Chugh	
		US 6,290,769	9/18/2001	Carkner	
		US 6,550,203	4/22/2003	Little	
		US 6,676,745	1/13/2004	Merkley et al.	
		US 6,901,713	6/7/2005	Axsom	
		US 6,913,819	7/5/2005	Wallner	
		US 6,941,720	9/13/2005	DeFord et al.	
		US 2002/0100249	8/1/2002	Peng et al.	
		US 2002/0139082	10/3/2002	DeFord et al.	
		US 2003/0046891	3/13/2003	Colada et al.	
		US 2003/0054123	3/20/2003	Black et al.	
		US 2003/0089061	5/15/2003	DeFord et al.	
		US 2004/0103610	6/3/2004	Axsom	
		US 2005/0210790	9/29/2005	Wallner	

Examiner Signature	Date Considered
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Substitute for 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> Sheet <u>5</u> of <u>9</u>	Complete If Known	
	Application Number	10/770,739
	Filing Date	Feb. 3, 2004
	First Named Inventor	Weiling Peng
	Art Unit	1774
	Examiner Name	Thompson, Camie S.
	Attorney Docket Number	129843.1016

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION						
Examiner Initial	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Country or Patent Office	Translation Enclosed (YES / NO)	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		AU 46878/89	7/1990	Australia	N/A	
		CN 1081168 A	1/26/1994	China (Abstract)	N/A	
		CN 2281378 Y	5/13/1998	China	YES	
		EP 0173553	3/5/1986	Europe	N/A	
		EP 0220073	5/2/1991	Europe	N/A	
		EP 0222339	5/20/1987	Europe	N/A	
		EP 0347092	12/20/1989	Europe	N/A	
		DE 19858342	12/17/1998	Germany	w/Abstract	
		JP 11-511110	9/28/1999	Japan	NO	
		JP 2538120	1997	Japan	NO	
		JP 5-1532	1993	Japan	NO	
		JP 09-123340	5/13/1997	Japan	w/Abstract	
		JP 10-121693	5/12/1998	Japan	w/Abstract	
		JP 10-245925	9/14/1998	Japan	w/Abstract	
		JP 11-210203	8/3/1999	Japan	w/Abstract	
		JP 11-217918	8/10/1999	Japan	w/Abstract	
		JP 11-280172	10/12/1999	Japan	w/Abstract	
		JP 52-52429	4/1977	Japan	NO	
		JP 56-41881	5/1981	Japan	Abstract only	
		JP 56-048413	5/1981	Japan	Abstract only	
		JP 2000-302522	10/31/2000	Japan	NO	
		JP 54-123129	9/25/1979	Japan	NO	
		JP 57-156541	9/27/1982	Japan	(Abstract only)	
		JP 02192447	7/30/1990	Japan	(translation only)	

Examiner Signature	Date Considered
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		JP 04089340	3/23/1992	Japan	(Abstract only)	
		JP 04295072	10/20/1992	Japan	Abstract only	
		JP 04300232	10/23/1992	Japan	Abstract only	
		JP 05-044323	2/23/1993	Japan	(w/Abstract)	
		JP 6-28563	8/3/1994	Japan	NO	
		JP 6023889	2/1/1994	Japan	(w/Abstract)	
		JP 08012450	1/16/1996	Japan	Abstract only	
		JP 08-175859 (App.#06-322177)	7/9/1996	Japan	(w/Abstract)	
		JP 08217561	8/27/1996	Japan	Abstract only	
		JP 09-296560	11/18/1997	Japan	(w/Abstract)	
		JP 60-105715	7/18/1985	Japan	NO	
		JP 60-242242	12/2/1985	Japan	NO	
		JP 61-68967	4/9/1986	Japan	NO	
		JP 63257631	10/25/1988	Japan	Abstract only	
		JP 63-47229	12/6/1988	Japan	NO	
		GB 2041384	9/10/1980	United Kingdom	N/A	
		GB 2148871	6/5/1985	United Kingdom	N/A	
		NZ 210395	11/1984	New Zealand	N/A	
		NZ 520286	7/27/2006	New Zealand	N/A	
		NO 9901129	9/11/2000	Norway	Abstract only	
Examiner Signature				Date Considered		

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	Attorney Docket Number	129843.1016

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION						
Examiner Initial	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Country or Patent Office	Translation Enclosed (YES / NO)	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		SU 1606633	11/15/1990	Soviet Union	w/Translation	
		TW 282800		Taiwan	Unable to locate	
		WO 92/17657	10/15/1992	WIPO	N/A	
		WO 97/08111	3/6/1997	WIPO	N/A	
		WO 98/45222	10/15/1992	WIPO	N/A	
		WO 00/63506	10/26/2000	WIPO	N/A	
		WO 01/36191	5/25/2001	WIPO	N/A	
		WO 01/65021	9/17/2001	WIPO	N/A	
		WO 01/16048	3/8/2001	WIPO	N/A	
		WO 02/081842	10/17/2002	WIPO	N/A	
		WO 02/081841	10/17/2002	WIPO	N/A	
		WO 02/28795	4/11/2002	WIPO	N/A	
		WO 02/28796	4/11/2002	WIPO	N/A	
		WO 02/32830	4/25/2002	WIPO	N/A	

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Substitute for 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> Sheet <u>8</u> of <u>9</u>	Complete If Known	
	Application Number	10/770,739
	Filing Date	Feb. 3, 2004
	First Named Inventor	Weiling Peng
	Art Unit	1774
	Examiner Name	Thompson, Camie S.
	Attorney Docket Number	129843.1016

NON PATENT LITERATURE DOCUMENTS			T ²
Examiner Initial*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
		Letter from Sargent & Krahn dated January 31, 2005 reporting First Substantive Report for Chilean Patent Application No. 655-2002 dated 03/04/02, which claims priority to U.s. No. 60/281,195 filed April 3, 2001.	
		Letter from Sargent & Krahn dated April 1, 2005 reporting First Substantive Report for Chilean Patent Application No. 653-2002 dated 03/04/02, which claims priority to U.S. No. 60/281,195 filed April 3, 2001.	
		James Hardie article, "External Wall Cladding," October 1990 (2 pgs)	
		James Hardie article, "Primeline Weatherboards," October 1996 (8 pgs)	
		HARDIHOME Lap Siding with the Embossed EZ Line Alignment Aid, March 2000 (4 pgs)	
		KUROKI et al., "Cement-Bonded Board Industry and Market in Japan and New Technology Developments," 1995 (10 pgs)	
		BGC Fibre Cement "Ceramic Tile Floor Underlay" April 2002, 7 pgs.	
		Gypsum Association Manual (14 th Edition 1994, p. 33 (3 pgs)	
		DATABASE WPI, Section Ch, Week 197723, Derwent Publications Ltd., London, GB, XP002159268	
		DATABASE WPI, Section Ch, Week 197723, Derwent Publications Ltd., London, GB, XP002159269	
		PCA (Portland Cement Assoc) article: "Concrete Homes - Fiber Cement Siding" (3 pgs) dated 9/13/2005	
		Notification of First Office Action issued on February 4, 2005 to a related Chinese application, Appln No. 02811074.9	
		Notification of First Office Action issued on March 18, 2005 to a related Chinese application, Appln No. 02811168.0	
		Notification of First Office Action issued on March 18, 2005 to a related Chinese application, Appln No. 02811237.7	

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		First Named Inventor	Weiling Peng
		Art Unit	1774
		Examiner Name	Thompson, Camie S.
		Attorney Docket Number	129843.1016
		Chilean patent application 170-97 (S. Ind. Pizarreno, 5 Dec. 1997)	
		Chilean patent application 2673-97 (S. Ind. Pizarreno, 30 Jan. 1997)	
		Letter from Sargent & Krahn dated April 11, 2005 reporting First Substantive Report for Chilean Patent Application No. 656-2002 dated 3/4/02	
		International Search Report in PCT/US02/10760 dated August 5, 2002	
		International Search Report in PCT/US02/10610 dated August 5, 2002	
		International Search Report in PCT/US02/10608 dated August 5, 2002	
		International Search Report in PCT/US02/10609 dated August 7, 2002	
		International Search Report in PCT/US2004/019980 dated 6/21/2004	
		Notice of Opposition of Chilean patent application no. 653-2002	
		Notice of Opposition of Chilean patent application no. 655-2002	
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		Notice of Opposition of Chilean patent application no. 654-2002	
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